

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                              |   |                          |
|------------------------------|---|--------------------------|
| In re Application of:        | ) |                          |
|                              | ) |                          |
| Christopher J. DANEK et al.  | ) | Group Art Unit: 3739     |
|                              | ) |                          |
| Patent No.: 6,411,852        | ) | Examiner: Ahmed M. FARAH |
|                              | ) |                          |
| Issued: June 25, 2002        | ) | Confirmation No.: 7886   |
|                              | ) |                          |
| Application No.: 09/296,040  | ) |                          |
|                              | ) |                          |
| Filed: April 21, 1999        | ) |                          |
|                              | ) |                          |
| For: MODIFICATION OF AIRWAYS | ) |                          |
| BY APPLICATION OF ENERGY     | ) |                          |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**STATEMENT UNDER 37 CFR 3.73(b)**

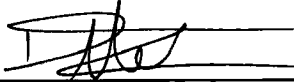
Under 37 C.F.R. § 3.73(b), the undersigned verifies that Asthmatx, Inc. is the assignee of the entire right, title, and interest in Patent No. 6,411,852 (Patent Application No. 09/296,040) identified above, by virtue of an Assignment from Christopher J. Danek, Thomas M. Keast, Bryan E. Loomas, and Michael D. Laufer to Broncus Technologies, Inc. recorded in the U.S. Patent and Trademark Office at Reel 011952, Frame 0408; an Assignment from Christopher J. Danek, Thomas M. Keast, and Bryan E. Loomas to Broncus Technologies, Inc. recorded in the U.S. Patent and Trademark Office at Reel 010060, Frame 0904; an Assignment from Michael D. Laufer to Broncus Technologies, Inc. recorded in the U.S. Patent and Trademark Office at Reel 010715, Frame 0688; and an Assignment from Broncus Technologies, Inc. to Asthmatx, Inc. recorded in the U.S. Patent and Trademark Office at Reel 014990, Frame 0014.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 30, 2011

By:   
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